Cr Misc 861-M of 2007

Ms JJ Kaur, Advocate for the petitioner.
Mr GS Bhandari, DAG Punjab for the State.
Mr Sandeep Arora, Advocate for the complainant.

Heard counsel for the parties.

The complainant, who is injured, was working as Chowkidar in the Tower of Airtel company in village Sadhpur, Police Station Mukandpur, District Nawanshahar. On 3.12.2006 at about 1.30 p.m. while he was on duty, six persons came on two Bullet motorcycles. The petitioner is stated to have given a Datar blow to the complainant on the backside of head and on the left arm from its reverse site. The doctor has opined the injury on the head and on the left arm to be simple in nature. However, another injury on the right arm of the complainant has been found to be grievous in nature.

Learned counsel for the petitioner has contended that the grievous injury on the person of the complainant is not attributed to the petitioner as it is on the right arm of the injured complainant.

In response, learned counsel for the State and the complainant have stated that the six accused came in an unlawful manner and caused injuries to the complainant while he was on duty as Chowkidar at the Tower of the Airtel company in the village.

After considering the matter, it may be noticed that six persons came on two motorcycles and they all attacked the complainant – Tarsem Lal who was caused injuries. Five injuries have been caused on the person of the complainant. One of the injuries on his person is grievous in nature and offence under Section 326 IPC has been added. Learned Additional

Sessions Judge, Nawanshahar has observed that the whereabouts of the other accused is yet to be ascertained.

In the circumstances, it is not a case for the grant of pre-arrest bail. Dismissed.

20.3.2007. (S.S.SARON)
ASR JUDGE